

To: Seter, David[Seter.David@epa.gov]
From: Susan Juetten
Sent: Wed 12/23/2015 6:21:12 PM
Subject: Re: Anaconda EPA Letter to NV Governor

Dear David,

What a nice gift for the residents near the mine and the waters of Nevada.

Thank you for letting me know.

All the best in 2016,

Susan Juetten

On Wed, Dec 23, 2015 at 10:18 AM, Seter, David <Seter.David@epa.gov> wrote:

Dear Susan,

On Tuesday December 22nd, EPA Region 9 Administrator Jared Blumenfeld sent Nevada Governor Brian Sandoval a request for his concurrence on adding the Anaconda Copper Mine in Yerington, Nevada (the "Site") to the Superfund National Priorities List ("NPL"). The request was prompted by the amount of time needed to plan for federal funding, if needed, to close the Arimetco portion of the Site. EPA and the Nevada Division of Environmental Protection ("NDEP") have been working collaboratively in an attempt to identify ways to clean up the Site without NPL listing. However, if other sources of funding fail to materialize, NPL listing is the only way to obtain federal funds.

Throughout the 1990s Arimetco operated a heap leach copper recovery system at the Site. But when Arimetco filed for bankruptcy there was no funding left over to close the heaps in compliance with current mine closure practices. The heaps continue to drain acidic fluid containing copper and other metals into collection ponds. The ponds have limited capacity and the accumulation of solids in the ponds means their capacity continues to diminish over time. This means the ponds could potentially leak or overflow, threatening groundwater resources.

Because of the diminishing capacity of the ponds, a sustainable solution will be needed by the year 2019 to address the threat of release of contaminants to groundwater. To allow time for design and funding under the federal process, EPA is preparing for a proposed listing in March 2016 and a final listing date in March 2017. EPA has requested a written response from Governor Sandoval by January 29th, 2016. If the State does not support listing, EPA has requested that the response letter describe Nevada's rationale and identify the alternative remediation program or method that the State proposes to ensure the risks at the Site will be addressed.

Under the NPL funding process the State would pay 10% of the cleanup cost and would also assume the cost of long term operation and maintenance. The proposed listing of the

Site will require a collaborative effort between EPA and NDEP in consultation with Lyon County, the City of Yerington, the Yerington Paiute Tribe, and the Walker River Paiute Tribe. EPA also remains committed to working cooperatively with all stakeholders and community groups to discuss the NPL listing process while it is being considered.

Best Regards,
Dave Seter

p.s. A copy of the letter is attached. There are also attachments to the letter which I will forward in another email message due to the file size.